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| SUPERIOR COURT OF CALIFORNIA, COUNTY OF VENTURA | | |
| Street address: | | |
| Mailing address: | | |
| City and zip code: | | |
| PETITIONER: | | CASE NO. |
| RESPONDENT: | | |

☐ STIPULATION AND ORDER ON ORDER TO SHOW CAUSE ☐ SETTLEMENT AGREEMENT AT TIME OF TRIAL
☐ CONTINUANCE DATE

IT IS HEREBY STIPULATED by and between the parties that the Court shall make orders consistent with the following checked items, and further states that the attached _____ pages correctly represents the agreement of the parties as to each item, as witnessed by the initials of the parties on each page.

ISSUES DEALT WITH IN THIS ORDER INCLUDE:

- | | |
|--|--|
| <input type="checkbox"/> Child Custody/Visitation | <input type="checkbox"/> Child Support |
| <input type="checkbox"/> Orders re: Minor Children | <input type="checkbox"/> Spousal Support |
| <input type="checkbox"/> Restraining Orders | <input type="checkbox"/> Attorney Fees/Costs |
| <input type="checkbox"/> Property Provisions | <input type="checkbox"/> Debt Provisions |
| <input type="checkbox"/> Pension/Retirement | <input type="checkbox"/> Other |

☐ Each of the parties shall execute forthwith all documents necessary to carry out the terms of this agreement.

Petitioner's Initials

Respondent's Initials

Page ____ of ____

☐ This matter is continued to _____ at _____ for further hearing on ☐ all issues ☐ on the following issues only _____

☐ All other issues are reserved to the time of trial.

☐ Both parties waive the right to appeal, the right to request a statement of decision, and the right to move for a new trial or for reconsideration.

☐ This order, consisting of _____ pages, when signed is the formal order. No further documents are necessary.

☐ Counsel for _____ is ordered to prepare a Judgment of Dissolution of Marriage and to submit it to counsel for _____ for approval as to form and content, the order to be filed with this court by _____.

☐ This Stipulation shall be deemed incorporated in and made a part of the minute order, by reference thereto, as though the same were fully set forth therein.

Dated: _____

Petitioner

Respondent

Attorney for Petitioner

Attorney for Respondent

ORDER

☐ The forgoing written stipulation of the parties, consisting of _____ pages, is approved, declared the order of the Court and ordered filed.

☐ Following conference in chambers, the matter having been argued and submitted, the attached consisting of _____ pages is declared the order of the Court and ordered filed.

Dated: _____

Judge of the Superior Court

NOTICE TO PARTIES WITHOUT AN ATTORNEY

THE FILING OF THIS DOCUMENT WILL NOT PREVENT A DEFAULT. IF YOU WISH TO PRESENT INFORMATION TO THE COURT AT THE TIME OF TRIAL YOU MUST FILE A "RESPONSE". FORMS ARE AVAILABLE IN THE CLERK'S OFFICE.

Date: _____ Name: _____ Case #: _____

1. CUSTODY

☐ CUSTODY of the minor child/ren named below is awarded as follows:

A. ☐ LEGAL CUSTODY is awarded to _____

B. ☐ JOINT LEGAL CUSTODY is awarded to the parties. In exercising joint legal custody, the parties shall cooperate and agree in making decisions on the following: _____

C. ☐ PHYSICAL CUSTODY

☐ SOLE PHYSICAL CUSTODY of the minor child is awarded to _____

☐ THE PARTIES SHALL EQUALLY SHARE CUSTODY as follows: _____

☐ JOINT PHYSICAL CUSTODY is awarded to the parties with PRIMARY RESPONSIBILITY TO _____ . _____ shall have the physical care and control of the minor child/ren during the SPECIFIC times set forth in 1D

Petitioner's Initials _____

Respondent's Initials _____

CUSTODY

Page _____ of _____

D. ☐ SPECIFIC PERIODS OF TIME with _____

☐ REASONABLE TIMES as agreed between the parties.

☐ ALTERNATING WEEKENDS from _____ on Friday until _____ on Sunday, commencing _____. Whenever the weekend falls on a 3-day (legal holiday), the alternate weekend shall be extended to include the Monday or Friday holiday.

☐ The first portion of CHRISTMAS/WINTER vacation commencing at _____ on the last day of school and continuing until _____ on Christmas Eve/Day in all even/odd numbered years.

☐ SUMMER VACATION for _____ weeks, upon _____ days prior written notice.

☐ SPRING VACATION in all even/odd numbered years, commencing at _____ on the last day of school and ending at _____ on Sunday, in all even/odd numbered years.

☐ THANKSGIVING DAY and WEEKEND, commencing Wednesday _____ and continuing until _____ Sunday, in all even/odd numbered years.

☐ MOTHER'S DAY and FATHER'S DAY shall be with the respective parent.

☐ One EVENING per week, on _____, from _____ until _____ p.m.

☐ Except in case of emergency, each parent shall provide at least 24 hours notice of any change in the above schedule and/or in the pick up and return time for the minor children.

☐ OTHER _____

Petitioner's Initials _____

Respondent's Initials _____

Page ____ of ____

Date: _____ Name: _____ Case #: _____

1. ORDERS RE: MINOR CHILDREN

☐ Neither party shall remove the minor child/ren from _____ without prior written consent of the other party or prior court order, except for periods of visitation.

☐ Neither party shall use or make any disparaging or derogatory remarks about the other parent in the presence or within the hearing of the minor child/ren.

☐ Each party shall keep the other party informed of his or her current address and telephone number and of the child/ren's schools and day care providers, and shall notify the other within _____ days of any change of address or phone number.

☐ Each party shall avoid the scheduling or arranging of activities for the children which are likely to conflict with periods of time allocated to the other parent.

☐ Each party shall notify the other sufficiently in advance of any planned activities of the minor child/ren in order to enable the other party to attend.

☐ The parties shall return to mediation for review of their custody/visitation plan on _____ at _____ a.m./p.m.

☐ OTHER: _____

Petitioner's Initials _____

Respondent's Initials _____

Page _____ of _____

DATE: _____ NAME: _____ CASE #: _____

1. CHILD SUPPORT

☐ The _____ shall pay to _____ as and for child support \$ _____ per month per child, for a present total of \$ _____, payable one-half on the _____ and one-half on the _____ day of each month commencing _____ and continuing until each child/said child reaches majority, dies, marries, becomes emancipated, or until further order of the Court, whichever first occurs. Pursuant to Civil Code 196.5, child support shall continue as set forth above and extend as to any unmarried child who has attained the age of 18, is a full time high school student and resides with a parent, until such time as he or she completes the 12th grade or attains the age of 19, whichever occurs first.

☐ The CHILD CARE costs incurred for the minor children, which enable the parties to be gainfully employed shall be shared as follows: _____

☐ The costs of TRANSPORTATION incurred in the exercise of visitation, shall be paid as follows: _____

☐ The income tax DEPENDENCY DEDUCTION for the minor child/ren is awarded as follows: _____

☐ OTHER _____

2. SPOUSAL SUPPORT

☐ The _____ is ordered to pay to the _____ as and for SPOUSAL SUPPORT the sum of \$ _____ per month, payable one-half on the _____ and one-half on the _____ day of each month, commencing _____ and continuing until further order of the, death of either party, remarriage of support spouse or _____, whichever occurs first.

☐ The Court reserves jurisdiction over spousal support until _____ or further order of Court, whichever occurs first.

☐ OTHER _____

Petitioner's Initials _____

Respondent's Initials _____

Date: _____ Name: _____ Case No: _____

3. ☐ The support herein ordered shall be designated as FAMILY SUPPORT.

4. BASIS OF SUPPORT. The support herein ordered is based upon Petitioner's gross/net income of \$ _____ with a filing status of _____; Respondent's gross/net income of \$ _____ with a filing status of _____; visitation calculated at _____%; and the following factor _____

5. MEDICAL AND DENTAL

☐ _____ is ordered to maintain for the benefit of _____ and the minor child/ren, all medical, dental and hospital insurance, available through employment, and to pay premiums thereon, to maintain them as insures and to cooperate in the presentation, collection on reimbursement of any claims under such policy.

☐ Any medical, dental, orthodontic, optometric, psychiatric, or psychological expense not otherwise covered by insurance shall be ☐ paid by _____ ☐ shared equally between the parties.

6. COLLECTION SUPPORT PAYMENTS

☐ All support payments are ordered to be paid through the office of the District Attorney, for the County of Ventura, by cashier' check, money order, or cash, together with a 2% service fee.

☐ Upon submission of an appropriate Order, a Wage Assignment will issue.

7. ATTORNEY FEES AND COSTS

☐ The issue of attorney fees and costs is reserved until time of trial or further order of Court.

☐ The _____ shall pay directly to Counsel for _____, as and for attorney fees and costs, the sum of \$ _____, payable ☐ forthwith ☐ on or before _____ ☐ in installments of \$ _____ per month payable on the _____ day of each month, commencing _____ and continuing until paid in full. If any payment is 30 days in arrears, the entire balance shall immediately become due and payable.

Each of the parties shall pay their own attorneys fees and costs, excepting those previously ordered.

Petitioner's Initials _____

Respondent's Initials _____

Page _____ of _____

Date: _____ Name: _____ Case No: _____

1. STANDARD MUTUAL RESTRAINING ORDER: Both parties are enjoined and restrained from :

☐ Contacting, molesting, attacking, striking, threatening, sexually assaulting, battering, telephoning, or otherwise disturbing the peace of the other party, except either party may contact or telephone the other regarding matters involving the minor child/ren.

☐ Transferring, encumbering, hypothecating, concealing, or in any way disposing of any property, real or personal, whether community, quasi-community, or separate, except in the usual course of business or for the necessities of life. Each party is to be notified of any proposed extraordinary expenditures and an accounting of such is to be made to the court.

☐ Cashing, borrowing against, canceling, transferring, disposing of, or changing the beneficiaries - of any insurance or other coverage involving life, health, automobile, and disability held for the benefit of the parties or their minor child/ren.

☐ Incurring and debts or liabilities for which the other may be held responsible.

2. STAY AWAY, EXCLUSION, USE AND POSSESSION ORDERS

☐ RESIDENCE EXCLUSION: _____ is ordered to move out and not return to the family dwelling located at _____ taking only clothes and personal possessions.

☐ _____ Is awarded the temporary use, control and possession of the following property: _____

☐ _____ is awarded the temporary use, control and possession of the following property: _____

☐ _____ is ordered to STAY AWAY at least _____ yards from: ☐ _____ residence, ☐ Place of work ☐ Children's school.

Petitioner's Initials _____

Respondent's Initials _____

Page _____ of _____

Date: _____ Name: _____ Case No: _____

1. PAYMENT TO CREDITORS: The following community debts shall be paid by the party indicated, either Petitioner (P) or Respondent (R) as they become due, such payments to be reimbursed by the community unless being paid as further spousal support (FSS), further child support (FCS), or further family support (FFS):

2. PROPERTY PROVISIONS

☐ A. The following property is awarded to Petitioner as his/her sole and separate property, along with any encumbrance thereon: _____

☐ B. The following property is awarded to Respondent as his/her sole and separate property, along with any encumbrance thereon: _____

☐ C. Petitioner shall pay the following community debts, without right to reimbursement, and shall hold Respondent harmless therefrom: _____

Petitioner's Initials _____

Respondent's Initials _____

Page _____ of _____

PROPERTY/DEBT PROVISIONS

Date: _____ Name: _____ Case No: _____

☐ D. Respondent shall pay the following community debts, without right to reimbursement, and shall hold Petitioner harmless therefrom: _____

☐ E. The following property is ordered sold and the net proceeds after costs of sale and encumbrances are deducted, are to be divided as set forth below: _____

☐ F. To equalize the division of community property, the _____ shall pay to _____ the sum of \$ _____, payable as follows: _____

☐ G. The parties shall hold equal, undivided interests in the following listed property as tenants in common: _____

A party with sole temporary use and possession of the family home shall pay all existing encumbrances on the property without credit at the time of sale and without any right of reimbursement. The party residing in the house shall also keep the property in good repair and shall pay all repairs unless said exceed \$ _____, in which case the sums exceeding said amount shall be paid equally by the parties.

☐ H. Other _____

Petitioner's Initials _____

Respondent's Initials _____

Date: _____ Name: _____ Case No: _____

1. PENSION/RETIREMENT BENEFITS

The holder of the pension (and/or _____) is ordered to pay to _____ as and for the non holder's share of the community interest in said pension plan, one-half of the community interest therein at such times as are ordered below.

- A. The community interest is defined as that fraction of each benefit that the pension holder is entitled to under said plan which is calculated by dividing the total number of months credited by the plan to the pension holder during the marriage before separation (which is stipulated to be _____ months) by the total number of months the pension holder was credited by the said plan. The community interest shall be determine by using the maximum intervivos benefit allowed to the pension holder under the plan. If the pension holder selects options which reduce the benefit, the Court shall make appropriate orders against the pension holder to restore the maximum community interest.
- B. Said payments are to commence at the earliest day the holder is entitled to receive periodic or lump sum benefits under the terms of the plan or as of _____ , whichever is later.
- C. The name, address, Social Security number and birth date of the participant pension holder is:
- _____ - _____ - _____

_____/_____/_____
- D. The name, address, Social Security number and birth date of the recipient non-pension holder is:
- _____ - _____ - _____

_____/_____/_____
- E. This order applies to all payments due to _____ including cost of living adjustments and pre-retirement death benefits.
- F. The address of each said plan is: _____

Petitioner's Initials _____

Respondent's Initials _____

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1 Date _____ Name _____ Case No _____
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